

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 EA-11 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SPC-03

SS-15 USIA-15 ACDA-19 AF-10 ARA-16 NEA-10 OMB-01

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TO SECSTATE WASHDC PRIORITY 9320

INFO AMEMBASSY BANGKOK PRIORITY

AMEMBASSY CANBERRA PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY SEOUL PRIORITY

AMEMBASSY TOKYO PRIORITY

C O N F I D E N T I A L USUN 3138

E.O. 11652: GDS

TAGS: PFOR KS KN UN

SUBJ: KOREA IN 28TH UNGA: SITUATION AS OF EVENING SEPT 11

REF: USUN 3130

1. AMB SCALI CALLED ON UN LEGAL COUNSEL STAVROPOULOS NOON SEPT 11 ACCOMPANIED BY UK AMB MAITLAND, JAPANESE AMB SAITO (ALSO REPRESENTING AUSTRALIAN AMB MCINTYRE) AND THAI CHARGE KASEMSRI TO URGE THAT STAVROPOULOS REVERSE HIS POSITION OF LATE YESTERDAY WHICH WOULD PERMIT ALGERIAN GROUP TO SUBMIT REVISED OPPOSITION RES UNDER LAST YEAR'S OPPOSITION ITEM. (MCINTYRE HAD MADE STRONG TELEPHONE DEMARCHE TO STAVROPOULOS PREVIOUS EVENING.) SCALI EXPLAINED TAHT, IF THIS RULING WERE ALLOWED TO STAND, THE RELIANCE OF OUR GROUPOON UNDER SYG MORSE'S EARLIER INSISTENCE (AGREED UPON BY LEGAL OFFICE) THAT SUCH TABLING WOULD NOT BE PERMITTED COULD PREJUDICE OUR ABILITY AT LATER STAGE IN FIRST COMITE TO GET PRIORITY IN THE VOTING FOR OUR KOREAN RESOLUTION OVER THE ALGERIAN DRAFT.

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2. STAVROPOULOS ADMITTED THERE WERE NO LEGAL PRECEDENTS BUT INSISTED, BY EXTRAPOLATION FROM GA RULE OF PROCEDURE 20, WHICH ENCOURAGES COSPONSORS OF A NEW ITEM TO SUBMIT A DRAFT RESOLUTION IN EXPLANATION OF THEIR ITEM, THAT THE ALGERIAN GROUP'S "RIGHT" TO SUBMIT A RESOLUTION AT LAST GA TO EXPLAIN THEIR ITEM COULD NOT BE REGARDED AS HAVING BEEN FORFEITED BY 27TH GA'S ACTION IN PUTTING ALL KOREAN ITEMS OFF TO THE PROVISIONAL AGENDA OF THE FORTH-COMING GA. IN THE EXTENDED DISCUSSION THAT FOLLOWED STAVROPOULOS ADMITTED THAT HIS "RULING" WOULD RESULT IN STRENGTHENING FIRST COMMITTEE'S LIKELIHOOD OF GIVING PRIORITY TO VOTING TO ALGERIAN DRAFT BUT HE SHOWED NO SIGN OF CHANGING HIS VIEW.

3. AMB SCALI THEN PROPOSED THAT NO DECISIONS ON THE MANNER OF CIRCULATION OF THE ALGERIAN RESOLUTION AND OUR RESOLUTION AND CONSEQUENTIAL EFFECTS AS TO PRIORITY SHOULD BE TAKEN PENDING MORSE'S RETURN FROM AFRICA AM SEPT 13. UK, JAPAN, AND THAI PARTICIPANTS SUPPORTED SCALI PROPOSAL. GAZARIAN, RANKING MEMBER OF MORSE'S OFFICE, SAID HE WOULD PUT THIS TO MORSE BY TELEPHONE TO OUAGADOUGOU SEPT 11 PM BUT HE ALSO STATED CONCERN THAT ALGERIAN GROUP WOULD BRING MASSIVE PRESSURE ON SECRETARIAT TO PROCEED IMMEDIATELY WITH CIRCULATION OF THE ALGERIAN DRAFT.

4. IT IS NOTEWORTHY THAT, IN PASSING, SCOTT OF STAVROPOULOS' STAFF STATED, ALBEIT GRATUITOUSLY, THAT BOTH ALGERIAN AND OUR DRAFTS WOULD REQUIRE TWO-THIRDS VOTE IN PLENARY IN ORDER TO BE ADOPTED (PRESUMABLY UNDER ART 18(2) OF CHARTER REQUIRING HEIGHTENED MAJORITY FOR "RECOMMENDATION RELATING TO THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY"). STAVROPOULOS BRIEFLY NOTED HIS AGREEMENT WITH SCOTT.

5. LATE AFTERNOON, GAZARIAN INFORMED US THAT MORSE WAS NOT PREPARED TO ASSUME RESPONSIBILITY FOR HOLDING UP ALGERIAN RES. STAVROPOULOS ALSO REFUSED TO HOLD UP RES AND INFORMED US OUR RES COULD BE CIRCULATED AT SAME TIME PROVIDED "FOR THE INFORMATION OF MEMBER STATES" BE INCLUDED IN OUR REQUEST FOR CIRCULATION. WE PROTESTED INCLUSION THESE WORDS BUT AS WE REACHED DEADLINE

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FOR DECISION WE SAID IF THEIR INCLUSION ONLY WAY SECRETARIAT WOULD CIRCULATE OUR RES AT THIS TIME, WE MUST ACQUIESCE IN THIS FORMULA UNDER PROTEST WHICH WE INSISTED BE NOTED. (OUR BELIEF IS THAT CRITICAL PSYCHOLOGICAL FACTOR IS THAT WE NOT APPEAR BE REACTING TO MOVES OF OTHER SIDE AND SIMULTANEOUS CIRCULATION (AS FOLLOW ON TO PRESS STORIES LAST WEEK DESCRIBING OUR RES) IS BEST WAY CONFIRM THIS POINT.) BOTH RESES WILL BE CIRCULATED AS OFFICIAL DOCUMENTS

MORNING SEPT 12.

6. COMMENT: WE HAVE PURSUED THIS MATTER VIGOROUSLY SINCE, AS A GENERAL MATTER, VOTING PRIORITY OF COURSE IS DESIRABLE TO HAVE AND WE MUST BE PREPARED FOR A VOTING SITUATION. HOWEVER, IT MUST BE BORNE IN MIND THAT EVEN IF WE DO ACHIEVE PRIORITY, ALGERIAN GROUP CAN GET THEIR VIEWS VOTED ON FIRST BY DEVICE OF SUBMITTING AMENDMENTS TO OUR DRAFT RES. CONVERSELY, IF ALGERIAN GROUP GETS PRIORITY FOR UNFRIENDLY DRAFT, WE WITH OUR CO-SPONSORS CAN SUBMIT AMENDMENTS WHOSE EFFECT, IF ADOPTED, WOULD BE TO CONVERT ALGERIAN DRAFT INTO AN ACCEPTABLE TEXT WHICH WOULD PARALLEL THEN OUR ORIGINAL TEXT. THUS, WHILE PRIORITY GENERALLY DESIRABLE FOR ONE'S DRAFT, IT IS UNCLEAR AT THIS STAGE WHETHER IT WOULD WORK TO OUR ADVANTAGE TO HAVE THE FIRST VOTES IN THE FIRST COMITE TAKE PLACE ON OPPOSITION AMENDMENTS TO OUR TEXT OR VICE VERSA. IN ANY EVEN, DECISION TAKEN BY STAVROPOULOS IN REVERSING MORSE YESTERDAY WOULD HAVE PREVENTED US FROM POSITIONING OURSELVES AT ANY RECENT POINT FOR A FULING BY HIM THAT OUR RES HAD PRIORITY OVER RES SUBMITTED BY OPPOSITION UNDER OPPOSITION ITEM.

7. WORKING GROUP DELS HAVE REMAINED IN VIRTUALLY CONTINUOUS CONTACT, EITHER BY TELEPHONE OR IN SESSION, OVER PAST TWO DAYS, SEEKING CONSISTENT CONSENSUS ON POSITIONS TAKEN IN FACE OF OPPOSITION ACTIVITY AND OF SHIFTING SECRETARIAT POSITIONS. ONE COMMON CONCERN HAS BEEN TO TAKE INTO ACCOUNT ROK PREFERENCES, BASED ON SEOUL-NEW YORK TELECONS, FOR HANDLING OF FRIENDLY RES. WG, SUPPLEMENTED BY OTHER CO-SPONSORS DELS, RESUMING MORNING SEPT 12 TO RECONSIDER TACTICAL SITUATION, PARTICULARLY FOR GENERAL COMITE MEETINGS SCHEDULED FOR SEPT 19 AND 20.

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